

PTO/SB/21 (04-04)

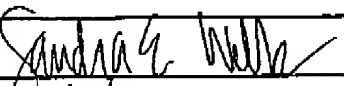
Approved for use through 07/31/2008. OMB 0551-0031

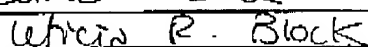
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/734,752
		Filing Date	December 11, 2000
		First Named Inventor	Janet A. Warrington
		Art Unit	1637
		Examiner Name	Alexander H. Spiegler
Total Number of Pages in This Submission	2	Attorney Docket Number	3308.3

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Restriction Requirement <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Sandra E. Wells, Reg. 52,349
Signature	
Date	9/8/04

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. <i>facsimile No: 703-872-9306</i>			
Typed or printed name	Leticia P. Block		
Signature		Date	09-08-2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No. 3308.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Janet A. Warrington
Serial No: 09/734,752
Filing Date: December 11, 2000
Title: Genes Differentially Expressed
In Secretary Versus Proliferative
Endometrium

Examiner: Alexander H. Spiegler
Art Unit No.: 1637

**RECEIVED
CENTRAL FAX CENTER**

SEP 08 2004

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the September 1, 2004 Restriction Requirement, the Examiner is requiring an election between the following group of claims:

- I. Claim 10.
- II. Claim 11.
- III. Claim 12.

Applicants hereby elect without traverse of the invention of Group I, Claim 10.
Applicants reserve the right to re-present non-elected claims in a divisional, or other related application.

Applicants believe that no fee is due with the submission of this document. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

Respectfully submitted,

Sandra E. Wells

Sandra E. Wells Reg. No.: 52,349

Date: 9/8/04
Customer No.: 22886